



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EAG/SE/AE  
F. #2018R00733

*271 Cadman Plaza East  
Brooklyn, New York 11201*

February 23, 2021

**By FedEx and Email**

Jodi Avergun  
Doug Gansler  
Cadwalader, Wickersham & Taft LLP  
200 Liberty Street  
New York, NY 10281  
ATTN: Miguel Checo

Re: United States v. Christopher Walker,  
Criminal Docket No. 19-239 (RJD)

Dear Counsel:

Pursuant to your request, the government is sending to you a set of replacement materials for certain records and information from the government's second production (DOJ\_19CR239\_0000001 to 32471) (the "Production"). The Production has been encrypted, and the password will be sent to you separately by email. The contents of the Production include "sensitive information" under the terms of the Protective Order entered in this case that was agreed to and acknowledged by you. The government also requests reciprocal discovery from the defendant. Please let us know if these copies of the materials do not resolve the technical issues you have identified, or if you have any other issues accessing the government's prior discovery.

\* \* \*

Enclosed with these materials are affidavits and declarations concerning the authenticity of records as business records and/or records generated by electronic processes or systems, pursuant to Federal Rules of Evidence 803(6), 902(11) and 902(13), and the government intends to proffer those records into evidence at trial as self-authenticating. See United States v. Komasa, 767 F.3d 151 (2d Cir. 2014).

The government hereby renews its request for reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government renews its request that

the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also renews its request that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government renews its request that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also renews its request that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby renews its demand for written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also renews its demand for the names and addresses of the

witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

Very truly yours,

SETH D. DUCHARME  
Acting United States Attorney  
Eastern District of New York

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Enclosures (by FedEx)

cc: Clerk of the Court (RJD) (by ECF) (without enclosures)